

FOLEY & LARDNER
ATTORNEYS AT LAW11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CALIFORNIA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEYLARDNER.COMRECEIVED
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From : Teresa Spehar
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MESSAGE:

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Re: Application Serial No. 09/557,796

Following are copies of:

Request for Continued Examination (RCE) Transmittal (4 pgs.-in dupl.. = 8 pgs.);
Petition for Extension of Time (2 pgs.);
Amendment (7 pgs.).

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Atty. Dkt. No. 252/123
(037002-0205)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hoch and Dartois
Title: METABOLIC SELECTION
METHODS
Appl. No.: 09/557,796
Appl. Filing Date: 04/25/2000
Examiner: K. Lacourciere
Art Unit: 1635

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Joy Day (Printed Name) <i>Joy Day</i> (Signature) January 14, 2004 (Date of Deposit)
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REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**OFFICIAL**

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on ____.

Atty. Dkt. No. 252/123
(037002-0205)

- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ___.
- ☐ Other ___.
- b. Enclosed are:
- ☒ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of ___ listed reference(s).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	8	- 31	= 0	x \$18.00	= \$0.00
Independents	1	- 5	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

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(037002-0205)

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the
total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$950.00		\$950.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$950.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$950.00
CLAIMS AND EXTENSION FEE TOTAL:				\$1720.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$860.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$860.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$860.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$860.00_____ to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Atty. Dkt. No. 252/123
(037002-0205)

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: January 14, 2004

By 

FOLEY & LARDNER
Customer Number: 30542
Telephone: (858) 847-6767
Facsimile: (858) 792-6773

Teresa Spehar
Registration No. 51,281
for Richard J. Warburg
Attorney for Applicant
Registration No. 32,327